

ANDOVER BOARD OF HEALTH
Minutes
May 12, 2014, 6:00 P.M.
CD&P First Floor Conference Room
36 Bartlet Street

The Board of Health Meeting was called to order at 6:03 p.m. Present were Ms. Candace B. Martin, Chairman, Ms. Katherine Kellman, Vice-Chairman, Gopala K. Dwarakanath, M.D., Clerk and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

- **April 14, 2014**

Motion by Ms. Martin, seconded by Dr. Dwarakanath, to approve the Minutes of April 14, 2014. Unanimous approval.

II. Appointments & Hearings

- **6:00 p.m. – Daryl and Brenda Afshin for 7 (a/k/a 7R) Lowell Junction Road – Condemnation Hearing (Continued)** – Mr. Carbone informed the Board that he and Mr. Afshin appeared before the Clerk Magistrate, Ms. Trippi, on April 30, 2014. At that time, Mr. Afshin was expected to have a signed contract and approval for financing for the Board, but he stated that he didn't need to finance the work and was only waiting for a cost estimate for a pump from two of our contractors. Mr. Carbone agreed to a continuance to June 4, 2014, with the expectation that the work would be completed by that date. There have been no permits pulled yet. Mr. Carbone spoke with both contractors who have been attempting to get a direct quote on a price for the pump that was being proposed. They ended up giving prices based on what the anticipated cost would be. Mr. Carbone has not heard back from any of the contractors or Mr. Afshin yet. Ms. Martin asked if it would be up to the courts now if the work is not done by the June 4, 2014 deadline. Mr. Carbone stated that Ms. Trippi will be asking what the Town wants to do at that time. At that point, the Town should issue the complaint and appear before a Judge. Ms. Martin concurred. Mr. Carbone recommended continuing the Condemnation Hearing to the August, 2014 Board of Health Meeting. Mr. Carbone stated that he will relay to Mr. Afshin that the Board of Health is guiding Mr. Carbone to seek an appearance before a Judge if the sewer connection is not completed by June 6, 2014.

Motion by Ms. Martin, seconded by Dr. Dwarakanath, to continue the Condemnation Hearing to the August, 2014, Board of Health Meeting. Unanimous approval.

- **6:05 p.m. – Building 3, Unit 313, Casco Crossings – Status Review of Outstanding Orders** – Present were Thomas Ciampa, tenant, Matthew Gardner, Casco Crossing Manager, and Mr. Ted Papadopoulos, Attorney for Casco Crossing. Ms. Martin asked for an update of the status of the door, callbox and the concrete

work. Mr. Papadopoulos stated that there are still problems with the door and it has been damaged. It appeared that the door was forcibly opened damaging the commercial grade strike plate which gave way. They called in someone from Al's Lock Service who said he thought the door was intentionally damaged. A copy of a written note dated 5/12/2014 from Al Dente from Al's Lock Service stating that he found the electric strike plate to be broken and that the door appears to have been forced open, as well as a copy of the Work Order Invoice for the repair to the damage was given to the Board Members. The Work Order Invoice also stated that the door was intentionally damaged after repairing.¹ Mr. Gardner stated that they have made four repairs in the last month. Ms. Kellman asked if they could use a more durable one. Mr. Gardner stated that the locksmith made a custom plate and screwed it into the side of the door. Mr. Gardner stated that all the buildings have the same lock and this is the only building that has any issues.

Ms. Martin asked if the call box was working properly. Mr. Papadopolous stated that it is operational and tenants are now being notified when it will be fully operational and how to set it up. Verizon has installed the phone line that was needed to the particular location and now it is fully operational. Instructions will be sent to all the tenants. Mr. Gardner stated that he put out a notice and reached out to people but has not received all the phone numbers yet. Mr. Ciampa stated that the number system was not working and that Mr. Carbone came to see him and the system did not work. Mr. Carbone stated that the day they were checking out the system, it only worked once out of four or five attempts. Mr. Papadopolous stated that he thought the problem could have been due to the damage caused to the door. The system is functioning in Building 1 and they are doing everything possible to have Building 3 functioning as well. Mr. Carbone stated that he will schedule a time to meet with Mr. Ciampa to test it. Mr. Gardner stated that first the new strike plate needs to come in to replace the old one.

Mr. Carbone stated that he had a conversation with one of the owners, Mr. Stapinski, who said that they have hired F.P. Reilly to do the excavation work, and MacLellan Concrete of Tewksbury to pour the concrete. The work should be done by mid-June and the intent was to get the whole area done at once. While on site, they will work quickly so that parking will be disrupted as little as possible. Ms. Bishop asked if they will be given notice of when the work would be started. Mr. Gardner replied that the tenants will be given a two week notice. Ms. Martin asked if all the units have two means of egress and all have ramps. Ms. Bishop answered that only Building 1 has a ramp. Mr. Carbone stated that at some time there will be an impact on the ramp and another door would have to be used. Unfortunately there will be a little bit of an inconvenience while the work is being done. Mr. Gardner was hoping to start the demolition by June 7, 2014 with the concrete company working right after that. Mr. Carbone recommended that the Board continue this Hearing until the July, 2014 Board of Health Meeting to see if the work is completed and if it is and compliance is reached they won't have to come back in.

¹ A copy of the note and the Work Order Invoice has been added to the Agenda Packet after page 16.

Motion by Ms. Martin, seconded by Dr. Dwarakanath to continue the Hearing for Building 3, Unit 313, Casco Crossings, to the July, 2014 Board of Health Meeting for a status update. Unanimous approval.

- **6:06 p.m. – Building 1, Unit 118, Casco Crossings – Status Review of Outstanding Orders** - Ms. Katherine Bishop, Tenant, was present at the Meeting. Mr. Gardner stated that they are going to have Northeast Basement Systems fix the basement issues. He provided the Board with an e-mail from the company and specs of the Water Guard Basement Waterproofing System that they intend to install.² The paperwork shows the pump equipment that will be used. Since the company is very busy, the earliest he can get them out to start the work is June 18, 2014. Mr. Gardner stated that they have a dehumidifier there now, but there is no water in the basement at this time. Ms. Martin asked if this company would be doing any waterproofing. Mr. Gardner replied that the Water Guard system has an air system that addresses the humidity in the space and the water in the basement is pumped into the storm drain.

Mr. Gardner also stated that they will have Aspen Environmental come out when the work is over and test for mold. Mr. Carbone cautioned against doing that because there are no standards. He stated that he believed the better move would be to look at any water damaged surfaces, remove the drywall, and then treat the structural timbers. Attorney Papadopoulos stated that they will do everything necessary to remove the mold and everything will be cleaned. The pumps will eliminate the source of the moisture. Ms. Bishop had a concern about the wooden stairways that have been damaged from mold and water. Mr. Carbone stated that after the water is removed and the remediation is completed, he can do a visual inspection of the structure.

Motion by Ms. Martin, seconded by Dr. Dwarakanath to continue the Hearing for Building 1, Unit 118, Casco Crossings until the July, 2014 Board of Health Meeting with a status update. Unanimous approval.

III. Discussion

- **Set Summer Meeting Dates** - The Board decided on the following dates: Monday June 9, Monday July 14, Monday August 11, and Monday September 8, 2014.

IV. Old Business

- N/A

V. Subdivision Definitive Plans

- N/A

² A copy of the specs was inserted into the Agenda Packet after page 23.

VI. Plan Review

- **DWRP – Variances/Local Upgrade Approval**
 - N/A

VII. Staff Reports

A. Director's Reports:

- **Important Dates:**
 - June 9, 2014 at 6 p.m. – Board of Health Meeting

B. Nurses' Report for April, 2014 – The Nurses' Report for April, 2014, were for informational purposes only.

C. Inspectors' Reports for April, 2014 – The Inspectors' Reports for April, 2014, were for informational purposes only.

VIII. Board Member Reports

- N/A

IX. Adjournment

Motion by Ms. Martin, seconded by Ms. Kellman, to adjourn at 6:40 p.m. Unanimous approval.